

FILE COPY

STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARDIN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINSTDAVID BOZIKOWSKI, D.D.S.,
RESPONDENT.FINAL DECISION AND ORDER
91 DEN 099

The parties to this action for the purposes of Wis. Stats. sec. 227.53
are:

David Bozikowski, D.D.S.
205 W. Pulaski Street
Pulaski, WI 54162

Dentistry Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the
attached Stipulation as the final decision of this matter, subject to the
approval of the Board. The Board has reviewed this Stipulation and considers
it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation
and makes the following:

FINDINGS OF FACT

1. David Bozikowski (D.O.B. 08/03/40) is duly licensed in the state of Wisconsin as a dentist (license #015 5000014). This license was first granted on June 12, 1964.
2. Dr. Bozikowski's latest address on file with the Department of Regulation and Licensing is 205 W. Pulaski Street, Pulaski, WI 54162.
3. In his practice Dr. Bozikowski uses ammonium chloride as a cold sterilization agent.

4. In his practice Dr. Bozikowski utilizes an autoclave which is used without verification of sterility of the dental instruments placed in it.

5. In his practice Dr. Bozikowski instructs patients on the correct method for brushing teeth using a common toothbrush which is used for more than one patient, and which is cleaned after use with hot water and soap, and placed for 24 hours in a disinfectant solution of an ammonium compound.

6. In his practice Dr. Bozikowski uses protective gloves intermittantly.

7. In the care and treatment of patient TR, Dr. Bozikowski, in maintaining business records required a fee for completion of third party payor forms.

CONCLUSIONS OF LAW

By the conduct described above, David Bozikowski is subject to disciplinary action against his license to practice as a dentist in the state of Wisconsin, pursuant to Wis. Stats. sec. 447.07(3), and Wis. Adm. Code sec. DE 5.02(1) and (5).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The voluntary surrender of the license of David Bozikowski to practice as a dentist in the state of Wisconsin for a period commencing October 15, 1992, and extending to at least October 15, 1993, is hereby accepted.

2. In the event David Bozikowski applies for reinstatement of his license to practice dentistry in the state of Wisconsin, proof shall be required that the Respondent is capable of safely returning to the practice of dentistry, and that reinstatement of his license to practice dentistry will be in the public interest. Such proof shall include certification of successful completion of a Board approved course of education and training consisting of at least 10 hours in modern dentistry record keeping, and of at least 24 hours in proper dentistry sterilization and infection control techniques. Respondent shall demonstrate that he is able to implement the appropriate sterilization and infection control techniques in a properly equipped clinic setting.

The rights of a party aggrieved by this Decision to petition the Board for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information".

This Order shall become effective upon its signing.

DENTISTRY EXAMINING BOARD

by 

a member of the Board

Date 11/4/92

jh 10/15/92

STATE OF WISCONSIN
BEFORE THE DENTISTRY EXAMINING BOARD

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
DAVID BOZIKOWSKI, D.D.S.,	:	91 DEN 099
RESPONDENT	:	

It is hereby stipulated between David Bozikowski, D.D.S., personally on his own behalf and James W. Harris, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

1. This Stipulation is entered into as a result of a pending investigation of David Bozikowski's licensure by the Division of Enforcement. Respondent consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Respondent understands that by the signing of this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against him; the right to call witnesses on his behalf and to compel their attendance by subpoena; the right to testify himself; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

3. Respondent is aware of his right to seek legal representation and has been provided the opportunity to seek legal advice prior to signing this stipulation.

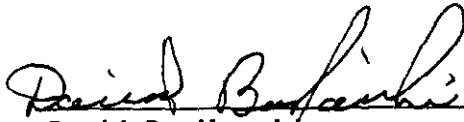
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Dentistry Examining Board. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached. Respondent agrees to voluntarily surrender his license to practice dentistry in the State of Wisconsin, effective October 15, 1992, and further agrees not to apply for reinstatement of such license until after October 15, 1993.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

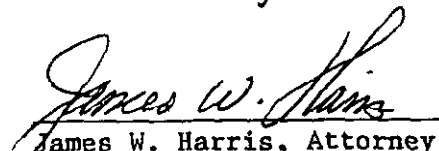
6. The parties to this stipulation agree that the attorney for the Division of Enforcement may appear before the Dentistry Examining Board for the purpose of speaking in support of the agreement and answering questions

that the members of the Board may have in connection with their deliberation concerning the stipulation.


The Division of Enforcement joins the Respondent in recommending that the Dentistry Examining Board adopt this stipulation and issue the attached Final Decision and Order.


David Bozikowski

Oct 18 92
Date


James W. Harris, Attorney
Division of Enforcement

OCTOBER 22, 1992
Date

	State of Wisconsin
	DEPARTMENT OF REGULATION AND LICENSING COMMITTED TO EQUAL OPPORTUNITY IN EMPLOYMENT AND LICENSING
<div>Activity</div> <div>DENTIST</div>	
No: 5000014	Expires: 10/01/93
DAVID BCZIKOWSKI DDS 205 W PULASKI ST PULASKI WI 54162	
The person whose name appears on this document has complied with the provisions of the Wisconsin Statutes and is hereby authorized to engage in the practice indicated.	

NOTICE OF APPEAL INFORMATION

**(Notice of Rights for Rehearing or Judicial Review,
the times allowed for each, and the identification
of the party to be named as respondent)**

The following notice is served on you as part of the final decision:

1. Rehearing.

Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with the state of Wisconsin Dentistry Examining Board.

A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.

2. Judicial Review.

Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon the State of Wisconsin Dentistry Examining Board.

within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following: the State of Wisconsin Dentistry Examining Board.

The date of mailing of this decision is November 5, 1992.